



DEPUTY DIRECTOR'S OFFICE
DIVISION OF OPERATIONS

APR 23 2018

RECEIVED

ILLINOIS STATE POLICE ROUTE SLIP

Division	Division of Operations			
Subject	U.S. Immigration and Customs Enforcement – Homeland Security Investigations MOU			
Return To	Region I			
Date	Signature	Concur (Y/N)	Concur with exception	Next Action or Approved/Denied
04/17/18	[Redacted] [Signature]	Y		Ms. Stephanie Snyders
4/19/18	[Redacted] [Signature]	Y		LTC Chris Trame
4/23/18	[Redacted] [Signature]	Y		Colonel Mark Peyton
				Director Leo P. Schmitz

Comments: Attached is a Memorandum of Understanding reference the recent request for District 15 Trooper Erin Anderson #5846 to be temporarily assigned to the U.S. Immigration and Customs Enforcement – Homeland Security Investigations (ICE-HSI). We are respectfully requesting to obtain Director Schmitz' signature on the Memorandum of Understanding. Please let me know if you have any questions or concerns.

APPROVED
AJ
04/18/18





ILLINOIS STATE POLICE
*Division of Operations
Region 1*

Bruce Rauner
Governor

Leo P. Schmitz
Director

MEMORANDUM

TO: Director Leo P. Schmitz

FROM: Major Luis Gutierrez #4495

DATE: April 17, 2018

SUBJECT: U.S. Immigration and Customs Enforcement - Homeland Security Investigations MOU

The purpose of this memorandum is to explain the documents attached with this memorandum reference the recent request for District 15 Trooper Erin Anderson #5846 to be temporarily assigned to the U.S. Immigration and Customs Enforcement - Homeland Security Investigations (ICE-HSI).

The first attachment the Memorandum of Understanding between the ICE-HSI and the ISP. The purpose of the MOU is to delineate the responsibilities of personnel assigned to the ICE-HSI, to formalize relationships between participating agencies for policy guidance, planning, training, and to maximize inter-agency cooperation. This MOU describes the span of supervision and control in regards the overall management of the ICE-HSI, Report and Records, Information Sharing, Prosecution, property and equipment, Liability and Modifications to MOU.

The second attachment is an HSI Task Force Officer cross designation certificate issued to Trooper Erin Anderson. This training certificate is required to be considered for a position as a Designated Customs Officer with ICE-HSI. Trooper Erin Anderson has fulfilled the training requirements as described in the MOU.

This agreement will stay in effect for the duration of the ISP's participation with the ICE-HSI MOU, but may be terminated at any time by either party upon a 30 day written notification to the other party.

9771

ILLINOIS STATE POLICE - DOCUMENT REVIEW COVER SHEET

Document Description: U.S. Immigration/Customs Enforcement - Homeland Security MOU

DRAFT
 FINAL

PBC # NA IPB# NA Date Initiated: 4/19/18 Date Response Needed: 4/24/18

Contract Grant MOU Inter-Agency Agreement
 Travel Involved w/ Contract? Yes No

Document from:
 OPERATIONS DII FORENSICS ADMIN OTHER _____

Contact Person: Captain Robert Meeder Phone: (630) 241-6800

Return signed document to: Trooper Amber Dunn

Requires APO/Fiscal Review: YES NO Requires Legal Review: YES NO

Requires Director's Signature: YES NO

Person to obtain Director's signature: Trooper Amber Dunn

 APO/Fiscal Review by: [REDACTED] Date: 4-20-18

Approved Disapproved with comments Approved with comments

APO/Fiscal comments or (see attached):
[REDACTED]

Legal Review by: [REDACTED] #75822 DATE: 4/23/18

Approved Disapproved with comments Approved with comments

Legal comments or (see attached):
[REDACTED]

NOTE: Immediately after the original contract has been signed (by Director), send original to PSSC to establish obligation, along with a copy of the MRF and a copy of the approved PBC. Send copy to CMS for signature if applicable. Also scan and email contracts to the APO.

MEMORANDUM OF UNDERSTANDING

between

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
HOMELAND SECURITY INVESTIGATIONS**

and

Illinois State Police

regarding

THE DESIGNATION OF

Illinois State Police

EMPLOYEES

AS CUSTOMS OFFICERS (EXCEPTED)

1. **PARTIES.** The Parties to this Memorandum of Understanding (MOU) are U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI) and Illinois State Police.
2. **AUTHORITY.** Title 19, United States Code (U.S.C.), Section 1401(i); 19 U.S.C. § 1589a. This MOU is also authorized under the provisions of IL ST CH 5 S 220/1 et seq. and ILCS Const. Art. 7, S 10.
3. **PURPOSE.** The Parties agree that effective enforcement of the laws relating to HSI jurisdiction requires close cooperation and coordination between the two Parties. The Parties have therefore entered into this MOU to govern the use of HSI designations by certain employees of Illinois State Police.

Pursuant to section 401(i), Tariff Act of 1930, as amended (19 U.S.C. § 1401(i)), the Secretary of Homeland Security is authorized to designate persons as Customs Officers (Excepted) to perform the duties of a Customs Officer. Within ICE, this authority has been delegated to the HSI Special Agents in Charge. Pursuant to 19 U.S.C. § 1589a, customs officers are authorized to enforce the full range of federal offenses. However, in designating Customs Officers (Excepted), HSI is not conveying the authority to enforce administrative violations of immigration law.

There may be instances when HSI determines that it is desirable for certain sworn law enforcement employees of Illinois State Police to perform certain HSI duties. This MOU sets forth the agreement and relationship between the Parties with respect to this determination.

4. RESPONSIBILITIES.

The Parties agree as follows:

HSI agrees to:

- a. Designate certain employees of Illinois State Police as Customs Officers (Excepted), without additional compensation, to perform the duties as noted on the "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001). This form is attached and is hereby made part of this MOU;
- b. Issue a "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001) to each qualified and designated employee;
- c. Provide appropriate training in laws, policies, and procedures to each designated employee;

- d. Advise the designated Customs Officers (Excepted) about court proceedings concerning seizures or arrests made by them in accordance with the authorities granted by HSI contemplated under this MOU; and
- e. Process, under appropriate regulations, any injury claim submitted as a result of injuries occurring to the designated Customs Officers (Excepted) while such individuals are acting pursuant to this MOU, for compensation under the Federal Employee Workers Compensation Act (5 U.S.C. § 8101, et seq.).

Illinois State Police agrees:

- a. That only sworn law enforcement officers of Illinois State Police who successfully complete the appropriate HSI Task Force Officer cross-designation Training Course and receive an approved "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001) will be designated as Customs Officers (Excepted);
- b. That each law enforcement officer will be bound by the Authorities Granted and the Endorsements and Restrictions as noted on the "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001);
- c. To advise HSI of each court proceeding in which the validity of a Customs Officer (Excepted)'s enforcement authority becomes an issue, and allow HSI to provide legal memoranda or other assistance as deemed necessary by HSI;
- d. That agency employees designated as Customs Officers (Excepted) will follow HSI directives and instructions when utilizing enforcement authority conveyed by HSI;
- e. To provide to HSI, before designation of each officer and on an ongoing basis, any derogatory information, or information that may call into question the officer's truthfulness or ability to testify in court; and
- f. To return all HSI-issued equipment and identification when a cross-designated officer terminates employment or when his or her cross-designation expires.

Both Parties agree:

- a. That any abuse of HSI cross-designation authority may lead to the revocation of such cross-designations by HSI; and
- b. To schedule periodic meetings to review this MOU, as required.

5. **REPORTING AND DOCUMENTATION.** HSI SAC offices will maintain the original signed "Designation, Customs Officer (Excepted) – Title 19 Task Force Officer" (ICE Form 73-001). Copies of this form will be held by the Contraband Smuggling Unit at HSI Headquarters, the designated Customs Officer (Excepted), and Illinois State Police.

If applicable, the HSI office will maintain documentation of designated Customs Officers (Excepted) approved to use HSI vehicles and certification that the designated Customs Officers (Excepted) have completed the ICE Fleet Card Training in Virtual University and any other fleet related training.

6. POINTS OF CONTACT.

HSI Office: SAC Chicago, IL
Name: Daniel Morro
Title: Group Supervisor
Address: 1 Tower Lane, Suite 1600
Oakbrook Terrace, IL 60181
Telephone Number: +1 (630) 574-4920
Fax Number: +1 (630) 574-4967
E-mail Address: daniel.morro@ice.dhs.gov

Illinois State Police :
Name: Robert Meeder
Title: Captain
Address: 2700 Ogden Avenue
Downers Grove, IL 60515
Telephone Number: +1 (630) 241-6800
Fax Number: +1 (630) 241-6117
E-mail Address: robert_meeder@isp.state.il.us

7. OTHER PROVISIONS. This MOU is an internal agreement between the Parties and does not confer any rights, privileges, or benefits to any other party or the public

Nothing in this MOU is intended to conflict with current laws, regulations, or policies of either Party. If a term of this MOU is inconsistent with such authority, that term shall be invalid but the remaining terms and conditions of this MOU shall remain in full force and effect

Nothing in this MOU is intended or shall be construed to require the obligation, appropriation, or expenditure of any money from the U.S. Treasury in violation of the Anti-Deficiency Act, 31 U.S.C. §§ 1341-1519.

The forms and authorities referenced herein may be renamed or replaced by HSI without prejudice to this MOU.

- 8. EFFECTIVE DATE.** The terms of this MOU will become effective on the date the last Party signs the MOU. The Designation Form of each Customs Officer (Excepted) is effective per the date on that document.
- 9. MODIFICATION.** This MOU may be amended by the written concurrence of both Parties.
- 10. TERMINATION.** This MOU may be terminated by either Party upon a 30-day written notification to the other Party.

APPROVED BY:

James M. Gibbons
Name of HSI Official

Special Agent in Charge
Title of HSI Official
Homeland Security Investigations
U.S. Immigration and Customs Enforcement

Date: 4/19/18

Leo P. Schmitz
Name of ISP's Official

Director
Title of ISP's Official
Name of ISP's Agency

Date: 04/07/18



Homeland Security Investigations Task Force Officer Course

Certification of Completion

Presented To

TFO Officer Erin L. Anderson

On September 15, 2017

In recognition of your completion of the
HSI Task Force Officer Training Course



Michael S. Shea
Acting Special Agent in Charge
HSI Boston



**ILLINOIS STATE POLICE
OFFICER ACTION REQUEST**

Forward completed form through chain of command to the Public Safety Shared Services Center 15 days PRIOR to effective date.

PART A - must complete all boxes

Last NAME: Anderson	First Erin	M/I L	ID#: 5846	TRANSACTION EFFECTIVE DATE: 05/01/18
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PART B - PERMANENT ASSIGNMENT - must complete all boxes

RANK: Trooper	WORKING TITLE (if applicable): N/A	SALARY LEVEL: 2	PAY CODE: 21-042	COST CENTER: 015
DIVISION: DDO	BUREAU DISTRICT: 15	UNIT: Patrol	PLATOON: 3	WORK COUNTY: DuPage

PART C - NEW OR TEMPORARY ASSIGNMENT - must complete all boxes

RANK: N/C	WORKING TITLE (if applicable): N/C	SALARY LEVEL: N/C	PAY CODE: N/C	COST CENTER: N/C
DIVISION: N/C	BUREAU DISTRICT: H.S.I.	UNIT: N/A	PLATOON: N/A	WORK COUNTY: N/C

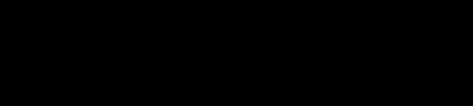
PART D - ACTION REQUESTED - check all applicable

<input type="checkbox"/> Address/Phone/Name Change (Use Comments)	<input type="checkbox"/> Promotion
<input type="checkbox"/> Departure -- Type: _____	<input checked="" type="checkbox"/> Temporary Assignment
<input type="checkbox"/> Designated Salary (Explain in comments)	Through Date: <u>11/30/18</u>
<input type="checkbox"/> Leave of Absence -- Type: _____	<input type="checkbox"/> Temporary Assignment Extension
<input type="checkbox"/> Through Date: _____	Through Date: _____
<input type="checkbox"/> Leave Extension - Through Date: _____	<input type="checkbox"/> Temporary Assignment Termination
<input type="checkbox"/> Leave of Absence Return	<input type="checkbox"/> Transfer (Between divisions, districts/bureaus or units)
<input type="checkbox"/> Military -- Type: _____	<input type="checkbox"/> Other (Specify in comments)
<input type="checkbox"/> Through Date: _____	
(Indicate daily 508 codes - A or C)	

COMMENTS (Brief description of action to be taken.):

Request for Trooper Erin Anderson TDA to Homeland Security Investigations effective 5/1/18. No change to Pay code or Cost Center.

PART E - SIGNATURES

OFFICER SIGNATURE: 	DATE: 4-13-18
COMMANDER SIGNATURE:  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	DATE: 4-13-18
COLONEL SIGNATURE FOR PART B  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	DATE: 4/24/18
COLONEL SIGNATURE FOR PART C (if applicable):  <input type="checkbox"/> Approved <input type="checkbox"/> Denied	DATE
DIRECTOR SIGNATURE:  <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	DATE: 4/1/2018